



Lumpkin County, Georgia

Planning Department

25 SHORT STREET, SUITE 10, DAHLONEGA, GEORGIA 30533 (706) 864-6894 FAX: (706) 867-7272

Re: S.O.P FOR ENFORCEMENT OF LUMPKIN COUNTY'S SOIL EROSION AND SEDIMENTATION ORDINANCE RESOLUTION NO. (2004-13)

The planning department will periodically inspect the sites of land disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan, and also to determine if the measures required in the plan are effective in controlling erosion and sedimentation. The Local Issuing Authority (LIA) will regulate both primary and secondary permit fees as such terms are defined in the state general permit. If through inspection, it is deemed that a person engaged in land disturbing activities as defined has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall state the measures necessary to achieve compliance and a time frame within which such measures must be completed. If the person engaged in land-disturbing activity fails to comply within the time specified, he or she shall be deemed in violation of the Lumpkin County Soil Erosion and Sedimentation ordinance.

1. For the first and second violations of this ordinance the LIA shall issue a written warning to comply to the violator via certified letter or posted on site. Each site inspected shall have a BMP inspection sheet left on site noting violations and corrective actions, which must be completed within five days. If the deficiencies are not corrected within five days a notice to stop work shall be posted on site and sent via certified mail. This stop work order shall be effective immediately and all activity on site shall cease until all necessary corrective actions have occurred. There shall be a maximum of five days to bring the site into compliance once a stop work order has been issued except in situations where it is deemed, by the inspector, that additional time is required to correct all deficiencies.

2. For the third violation of this ordinance an immediate stop work order shall be issued. Each provision found to be in violation of this local ordinance shall constitute a separate violation and any site with three or more violations found will be issued a stop work order. Any land disturbing activity being performed that is not exempt from this ordinance or any significant amounts of sediment being deposited into state waters as deemed by the LIA or failure to maintain the state mandated stream buffers will constitute an immediate stop work order for that site. If it is found that a soil and erosion plan is necessary, minimum requirements shall be put in temporarily until the plan for the land disturbing activities has been submitted and approved by the NRCS and the Lumpkin County Planning Department. No permit shall be issued until plan has been approved by both agencies.

3. Any stop work issued for any land disturbing activity will be subject to an administrative fee of \$100.00 to be paid to the Lumpkin County Planning Department.

In order to get a stop work order removed the following three items must be completed.

1. The site must be brought into compliance with all state and local regulations.
2. The \$100 administrative fee must be paid.
3. The owner/operator must show proof of current GASWCC certification for land disturbing activities (Level 1A Blue Card at minimum)

4. Any work that commences on site without the stop work order being lifted will constitute an immediate citation being issued with the civil penalty not to exceed \$2,500.00 per day for each day each violation exists. These fines and penalties will be assessed in the magistrate court in Lumpkin County. When corrective action has not been taken in the time frame given once a stop work order has been issued this will also constitute an immediate citation issued by the Lumpkin County Planning Department.

5. Failure to maintain a stream buffer for any non exempt land disturbing activity will constitute an immediate stop work order. In order for the stop work order to be removed a plan showing mitigation to the impacted buffer with the replanting of native species prepared by a certified design professional must be submitted to the Planning Department. Upon approval of this plan by the Lumpkin County Planning Department and completion of the items in paragraph 3 (above) the stop work order will be removed. If it is found that the plan has not been followed or more impacts to the buffer have been done an immediate citation will be issued to the owner/operator. Impacts to buffer for non exempt land disturbing activities will be any disturbance greater than 100 square feet performed in any part of the buffer measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action.